

## Assembly Bill No. 2573

### CHAPTER 726

An act to amend Section 25250.4 of the Health and Safety Code, relating to hazardous waste.

[Approved by Governor September 25, 2000. Filed  
with Secretary of State September 27, 2000.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2573, Briggs. Used oil.

(1) Existing law requires used oil to be managed as a hazardous waste until it has been shown to meet specified purity standards or is excluded from regulation as a hazardous waste because it is a recyclable material.

This bill would exclude, from that hazardous waste management requirement, dielectric fluid removed from specified oil-filled electrical equipment, if the dielectric fluid is filtered and replaced onsite or is managed in a specified manner and in accordance with the applicable requirements of the federal regulations governing used oil.

(2) This bill would incorporate additional changes in Section 25250.4 of the Health and Safety Code proposed by SB 1924, to be operative only if that bill and this bill are enacted and become effective on or before January 1, 2001, and this bill is enacted last.

*The people of the State of California do enact as follows:*

SECTION 1. Section 25250.4 of the Health and Safety Code is amended to read:

25250.4. (a) Used oil shall be managed as a hazardous waste in accordance with the requirements of this chapter until it has been shown to meet the requirements of subdivision (b) of Section 25250.1 or is excluded from regulation as a hazardous waste pursuant to Section 25143.2.

(b) This section does not apply to dielectric fluid removed from oil-filled electrical equipment that is filtered and replaced, onsite, at a restricted access electrical equipment area, or that is removed and filtered at a maintenance facility for reuse in electrical equipment and is managed in accordance with the applicable requirements of Part 279 (commencing with Section 279.1) of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations.

(c) For the purposes of this section:

(1) "Oil-filled electrical equipment" includes, but is not limited to, transformers, circuit breakers, and capacitors.

(2) “Restricted access electrical equipment area” means a fenced-off or walled-off restricted access area that is covered by a spill prevention control and countermeasure plan prepared in accordance with Part 112 of Title 40 of the Code of Federal Regulations and that is used in the transmission or distribution of electrical power, or both.

(d) For the purposes of subdivision (b), “filtered” means the use of filters assisted by the application of heat and suction to remove impurities, including, but not limited to, water, particulates, and trace amounts of dissolved gases, by equipment, mounted upon or above an impervious surface.

(e) Nothing in this section affects the authority of the department or a certified unified program agency in the event of a spill.

SEC. 1.5. Section 25250.4 of the Health and Safety Code is amended to read:

25250.4. (a) Used oil shall be managed as a hazardous waste in accordance with the requirements of this chapter, unless one of the following applies:

(1) The used oil is excluded from regulation as hazardous waste pursuant to Section 25143.2, and is not subject to regulation as hazardous waste under the federal act.

(2) The used oil has been shown by the generator to meet the requirements of paragraph (1) of subdivision (b) of Section 25250.1 or the used oil is recycled oil and meets the requirements of paragraph (2) of subdivision (b) of Section 25250.1.

(b) This section does not apply to dielectric fluid removed from oil-filled electrical equipment that is filtered and replaced, onsite, at a restricted access electrical equipment area, or that is removed and filtered at a maintenance facility for reuse in electrical equipment and is managed in accordance with the applicable requirements of Part 279 (commencing with Section 279.1) of Subchapter I of Chapter 1 of Title 40 of the Code of Federal Regulations.

(c) For the purposes of this section:

(1) “Oil-filled electrical equipment” includes, but is not limited to, transformers, circuit breakers, and capacitors.

(2) “Restricted access electrical equipment area” means a fenced-off or walled-off restricted access area that is covered by a spill prevention control and countermeasure plan prepared in accordance with Part 112 of Title 40 of the Code of Federal Regulations and that is used in the transmission or distribution of electrical power, or both.

(d) For the purposes of subdivision (b), “filtered” means the use of filters assisted by the application of heat and suction to remove impurities, including, but not limited to, water, particulates, and trace amounts of dissolved gases, by equipment mounted upon or above an impervious surface.



(e) Nothing in this section affects the authority of the department or a certified unified program agency in the event of a spill.

SEC. 2. Section 1.5 of this bill incorporates amendments to Section 25250.4 of the Health and Safety Code proposed by both this bill and SB 1924. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2001, (2) each bill amends Section 25250.4 of the Health and Safety Code, and (3) this bill is enacted after SB 1924, in which case Section 1 of this bill shall not become operative.

